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The Honorable Thomas S. Zilly

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

11 MARIE RIFFLE,

12 Plaintiff,

13 VS.

14 HOLLAND AMERICA LINE N.V. LLC,
HOLLAND AMERICA LINE N.V.,
HOLLAND AMERICA LINE INC.,
HOLLAND AMERICA LINE-USA INC.
d/b/a HOLLAND AMERICA, DOES 1 —
5,

16 Defendants.

17 AT LAW AND IN ADMIRALTY

18 Case No. 2:23-cv-01484-TSZ

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**STIPULATED MOTION TO EXTEND
DATE FOR DISCLOSURE OF
EXPERT TESTIMONY; ORDER**

NOTE ON MOTION CALENDAR:
April 17, 2024

19 Plaintiff Marie Riffle (“Plaintiff”) and Defendants Holland America Line N.V. LLC,
20 Holland America Line N.V., Holland America Line Inc., Holland America Line-USA Inc. d/b/a
21 Holland America (collectively, “HAL” or “Defendants”), through their respective counsel of
22 record, hereby submit this Stipulated Motion to Extend Date for Disclosure of Expert Testimony

1 for 45 days. The parties assert that there is good cause to amend the Court's Minute Order
 2 Setting Trial Date and Related Dates (Dkt. 9) based on the following:

3 1. Plaintiff in this action seeks damages for an injury sustained on October 12,
 4 2022, during a cruise on the HAL vessel ZAANDAM. Plaintiff's Complaint alleges that while
 5 attempting to enter the interior of the vessel from an outside deck, the outer door slammed into
 6 her, causing her to fall and sustain injuries including a left humerus fracture that required
 7 surgery.

8 2. The parties have exchanged written discovery and are cooperating to obtain
 9 complete medical records by subpoena and authorizations from Plaintiff's medical providers in
 10 Texas. The parties have already completed the depositions of Plaintiff and her son. Plaintiff has
 11 already appeared for a Rule 35 Physical Examination. The parties are also confirmed to mediate
 12 this matter on June 26, 2024, with Judge Joe Hilberman (Ret.) with ADR Services, Inc.

13 3. The parties' experts will also need to conduct an inspection of the accident
 14 location aboard the vessel. Since counsel are both based in Southern California, the parties
 15 scheduled the vessel inspection for March 30, 2024, when the vessel would be calling to the Port
 16 of San Diego. Unfortunately, Plaintiff's expert had a medical issue arise that prevented him
 17 from traveling to San Diego. The parties have therefore rescheduled the inspection for April 24,
 18 2024, at the Port of San Francisco, which was the next available date that the vessel could
 19 accommodate the parties and their experts.

20 4. The current deadline to disclose expert testimony under FRCP 26(a)(2) is
 21 April 23, 2024, which is before the vessel inspection. The parties request that this date be
 22 extended 45 days to June 7, 2024, to allow time for the parties and their experts to conduct the
 23 vessel inspection and prepare their respective reports. It is anticipated that rebuttal disclosures
 will be due on or around July 7, 2024. Accordingly, the parties propose the following:

Matter	Current Date	Proposed Date
Disclosure of expert testimony under FRCP 26(a)(2)	April 23, 2024	June 7, 2024

5. The requested continuance of the above date will not interfere with any other dates set by the court. All other dates, including trial set for November 12, 2024, will remain the same. However, the parties are not opposed to a continuance of any of the other dates if the Court is inclined to continue any other dates.

6. The parties submit this Stipulated Motion in accordance with the Court's Minute Order Setting Trial & Related Dates, which states that dates can be changed only by order of the Court upon good cause. Because such extension may, despite the cooperation of counsel, interfere with the time set for completing discovery, Court approval is also requested pursuant to FRCP 29(b).

13 IT IS SO STIPULATED.

14 **FOR PLAINTIFF**

15 Date: April ___, 2024

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23 Attorneys for Plaintiff

MARIE RIFFLE

(signatures continued next page)

1 **FOR DEFENDANTS**

2 Date: April __, 2024

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11 Attorneys for Defendants

12 HOLLAND AMERICA LINE N.V. LLC,

13 HOLLAND AMERICA LINE N.V.,

14 HOLLAND AMERICA LINE INC.,

15 HOLLAND AMERICA LINE – USA INC.,

16 d/b/a HOLLAND AMERICA

ORDER

IT IS SO ORDERED.

Dated this 18th day of April, 2024.

Thomas S. Bally

Hon. Thomas S. Zilly
United States District Judge

Presented by:

FLYNN, DELICH & WISE LLP

s/ Alisa Manasantivongs

Alisa Manasantivongs, WSBA # 50902
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Notice of Presentment waived:

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s/ *Carlos Llinás Negret*

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